



**PROPOSED RULE MAKING
(RCW 34.05.320)**

**CR-102 (7/22/01)
Do NOT use for expedited
rule making**

Agency: Department of Agriculture

- ☒ Preproposal Statement of Inquiry was filed as WSR 03-20-092; or
☐ Expedited Rule Making -- Proposed notice was filed as WSR ____; or
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice
to WSR ____
☐ Continuance of WSR ____

(a) Title of rule: (Describe Subject) WAC 16-319-041 – Application for certification of forest reproductive material.

Purpose: The department proposes to increase the certification of forest reproductive material fees by the Office of Financial Management (OFM) fiscal growth rate factor for fiscal year 2004 (3.20%) in order to ensure that the fees charged for Washington Crop Improvement Association services are sufficient to recover operating costs.

Other identifying information: None

(b) Statutory authority for adoption: Chapter 34.05 RCW and RCW 15.49.370(3) and 15.49.310

Statute being implemented: 15.49.370(3) RCW

(c) Summary: WSDA proposes increasing forest reproductive certification fees in WAC 16-319-041 by the OFM 2004 fiscal growth rate factor of 3.20%

Reasons supporting proposal: The proposed fee increases are necessary to help offset inflationary increases in the cost of operating that portion of the forest reproductive material certification program delegated to the Washington State Crop Improvement Association by the WSDA director.

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting..... Victor Shaul, Operations Manager	Yakima	509-225-2630
2. Implementation.... Victor Shaul, Operations Manager	Yakima	509-225-2630
3. Enforcement..... Victor Shaul, Operations Manager	Yakima	509-225-2630

(e) Name of proponent (person or organization): Washington State Crop Improvement Association

☒ Private
☐ Public
☐ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:
N/A

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT Citation:
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

(h) HEARING LOCATION:
Washington State Department of Agriculture
21 North First Avenue
Suite 103 Conference Room
Yakima, WA 98902

Date: January 27, 2004 Time: 11:00 a.m.

Assistance for persons with disabilities: Contact
Agency Receptionist by calling:

TDD (360) 902-1996 or (360) 902-1976

NAME (TYPE OR PRINT)

Robert W. Gore

SIGNATURE

TITLE

Assistant Director

DATE

12/11/03

Submit written comments to:
George Huffman, Rules Coordinator
P.O. Box 42560
Olympia, WA 98504-2560
FAX: (360) 902-2085 By (date): 5 p.m. January 27, 2004

DATE OF INTENDED ADOPTION: 2/24/04

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

December 23, 2003

TIME 2:35 PM

WSR 04-01-180

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

WAC 16-319-041 – Application for certification of forest reproductive material.

The proposed fee increases are intended to assure that fees charged for the certification of forest reproductive material are sufficient to recover the costs of providing said services. Certification fees for forest reproductive material would be increased by the OFM fiscal growth rate factor for the fiscal year 2004 (3.20%).

Does proposal change existing rules? ☒ Yes ☐ No

If yes, describe changes:

The proposal increases the fees in WAC16-319-041 by the allowable fiscal growth rate factor for the fiscal year 2004 (3.20%).

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by writing to:

telephoning: ()

faxing: ()

☒ No. Explain why no statement was prepared

WSDA concludes that the proposed increases in current fees, based upon the OFM fiscal growth rate factor, do not impose a "more than minor cost" on the seed industry and, therefore, a SBEIS is not required according to RCW 19.85.030 (1)(a).

(l) Does RCW 34.05.328 apply to this rule adoption? ☐ Yes ☒ No

Please explain: The Washington State Department of Agriculture is not a listed agency in RCW 34.05.328(5)(a)(i).